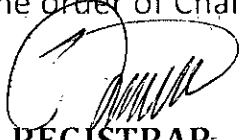


Form-A

FORM OF ORDER SHEET

Court of _____

Restoration Application No. 262/2024

| S.No. | Date of order Proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1 | 25.03.2024 | <p>The application for restoration of Service Appeal No. 1335/2019 submitted today by Niala Jan Advocate. It is fixed for hearing before Division Bench at Peshawar on _____. Original file be requisitioned. Parcha Peshi given to counsel for the applicant.</p> <p>By the order of Chairman</p>  <p>REGISTRAR</p> |

D

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Misc. Application No 262/2024

In

Service Appeal No: 1335/2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11890

Date 25-03-2024

Inam Ullah S/o Taj Muhammad, ADEO, Establishment
Office of the DEO (M), Peshawar.

.....Appellant

Versus

1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Chairman Public Service Commission.
3. The Secretary Elementary & Secondary Education,
Khyber Pakhtunkhwa.
4. The Director Elementary & Secondary Education,
Khyber Pakhtunkhwa.
5. The Secretary, Public Service Commission.
6. The Executive District Officer, Peshawar.

.....Respondents

APPLICATION FOR RESTORATION OF
THE CAPTIONED APPEAL DISMISSED IN
DEFAULT VIDE IMPGUNED ORDER
DATED 24-10-2023.

Respectfully Sheweth;

1. That the above captioned Appeal was pending adjudication before this Hon'ble Tribunal and the same was dismissed for non-prosecution vide impugned order dated: 24-10-2023. (Attested Copy of the relevant Order Sheet is attached herewith)
2. That the captioned Appeal was fixed for 24-10-2023 and due to the serious illness ie. Brain Tumor of mother of the counsel, after

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the thorough surgery, she wasn't able to sustain, and died, thus was unable to attend the same of the date fixed and also on the fixed date the appellant was abroad and was not able to attend the same.

3. That the absence on 24-10-2023 was not intentional or deliberate, rather due to above mentioned valid reason.
4. That it is the prime objective of the law & justice to decide the cases on merit and to avoid technicalities while valuable rights of the applicant/ appellant is attached with the said Appeal.
5. That the instant application is well within time, while this Hon'ble Tribunal has got ample powers to accept the instant application.

It is, therefore, humbly prayed that on acceptance of the instant application, the captioned Appeal may graciously be restored and be decided on merits after due adjudication.

Dated: 25-3-2024



Through **Applicant/ Appellant,**
Naila Jan Advocate
Supreme Court of
Pakistan

I, (Naila Jan Advocate, attorney for the Applicant/ Appellant) do hereby solemnly affirm & declare on oath that, contents of the foregoing application are true & correct to the best of knowledge & belief and nothing has been concealed from this Hon'ble Tribunal.

Naila Jan Advocate
DEPONENT



(3)

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR**

Appeal No- 1335/2019

Inamullah S/o Taj Muhammad, ADEO Establishment
Office of the DEO (M) Peshawar.

----- (Appellant)

VERSUS

1. The Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. The Chairman Public Service Commission.
3. The Secretary Elementary & Secondary Education Khyber Pakhtunkhwa.
4. The Director Elementary & Secondary Education Khyber Pakhtunkhwa.
5. The Secretary, Public Service Commission.
6. The Executive District Officer, Peshawar.
7. Zia-ur-Rehman S/o Said Rehman R/o Village Babu Garhi, P.O Kababyan, Warsak Road, Peshawar at Serial No. 78 in the Seniority List.
8. Ihtisham Ul Haq S/o Fazal Haq R/o Mohallah Shabakhel Dheri Allahdhand, District Malakand at Serial No.79
9. Rahim Khan S/o Hussain Khan at R/o Vill: & P.O Surigzai Payan, Mohallah Mamkhede, District & Tehsil Peshawar, R/o Vill & P.O Surigzai Payan Distt & Tehsil Peshawar Mohallah Yousaf Khel at Serial No. 80
10. Muhammad Saleem S/o Ghulam Sarwar R/o H.No 1316/A Mohallah Hafiz Jamal Dera Ismail Khan, at Serial No.81
11. Sikandar Irfan S/o Faizullah Khan R/o Hashim Town near Baran Abad Kheikh Yousaf Road D.I Khan, at Serial No.82
12. Abdul Hafeez S/o Abdul Rashid H. No. 587-1-A, Tabkhi Street, D. I. Khan at Serial No. 83
13. Shah Jehan S/o Gul Rahim Khan R/o at Serial No. 84
14. Ishtiaq Ahmed Khan S/o Muhammad Akram Khan R/o Vill: Dhodial Nawan Shehr distt: Abbottabad at Serial No. 85

Certified to be true copy

KHYBER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

29-2-24

Service Appeal No. 1335/2019

Inamullah vs Govt



ORDER
24.10.2023

Nemo for the appellant. Mr. Muhammad Jan, District Attorney for the respondents present.

The appeal in hand was called on for hearing after various intervals, however nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal in hand stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ORDER
24.10.2023

ANNOUNCED
24.10.2023

(Muhammad Akbar Khan)
Member (Executive)

(Salah-ud-Din)
Member (Judicial)

Naqem Amin

24.10.2023 Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 26-2-2024
Number of Words Page 2 2
Copying Fee 10/-
Urgent _____
Total 10/-
Name of Copyist Shahzad
Date of Completion of Copy 29-2-2024
Date of Delivery of Copy 29-2-2024